

INSIDE

Westside Baptist Church holding drive up church on Sundays



NOTICE

Safer-At-Home Guidelines and FAQ's on Page 8



INSIDE

Passing the time during COVID-19 quarantine



# The Elba Clipper

Volume 123, Number 49

50 Cents

Elba, Alabama

Thursday, April 30, 2020

1 Section, 10 Pages

Effective April 30th at 5 p.m. until May 15th at 5 p.m.

## Governor Kay Ivey announces 'Safer At Home' Public Health Order for Alabama

by Linda Hodge, Editor

Governor Kay Ivey addressed the state Tuesday morning, April 28, and announced that once the current Stay-At-Home public health order expires at 5 p.m. Thursday, April 30, that a new Safer-At-Home public health order will go immediately into effect continuing until 5 p.m. Friday, May 15, 2020.

"Alabamians have been doing the hard things to get us where we need to be," Gov. Ivey said. "Today, we

are talking about another step in that direction."

The governor said it is essential to continue to monitor the COVID-19 virus in Alabama, but at the same time, she realizes the importance of getting the state's economy rolling again. However, she said it is not as simple as flipping a switch or snapping the fingers.

The Stay-At-Home order was enacted on April 4th, and Ivey said she believes it was necessary to issue that order, even though it was not an easy decision to

"While we have not seen decreases [in the number of new cases in Alabama], we have seen some stabilization," Ivey said. "That is why we are easing back into things."

The governor said as of

See SAFER, Page 2



The Elba BOE meeting was held inside the Elba High School commons area Tuesday evening, April 21, to allow for proper social distancing for board members and others.

## Rehires highlight Elba BOE meeting

by Linda Hodge, Editor

The Elba City Schools Board of Education met Tuesday evening, April 21, for the regular monthly meeting, but the meeting was held in the commons area of the high school to allow for proper 6-foot social distancing between people during this COVID-19 time.

A big move for the board during the meeting was approval of several employee rehires for the elementary and high schools. Superintendent made the recommendations to board members based on recommendations made to him from either elementary school principal Debra Strickland or high school principal Wynn Grimes.

"I appreciate you moving on these rehires as quickly as you have so we don't lose a good employee [over the summer break] due to them worrying about having a job come August," board member Matt Brunson said to Moseley.

The board approved 11 rehires for the 2020-2021 school year at the elementary school via a motion

made by board member Kristy Astemborski with a second from board member Matt Brunson. These rehires included: Jeff Carpenter, band; Tachae Wright, teacher; Nichole Capps, teacher; Beverly Hamilton, secretary; Rachel Morrow, teacher; Claire Bailey, teacher; Austin Johnson, ISS; Lindsay Swan, special education teacher; Melissa Grantham, special education teacher; Emily Alverson, teacher; and Kelly Wilson, teacher.

With his approved rehire, welding teacher Seth Wilcox received tenure.

Regarding the CNP department, board members approved the rehire for next school year of Margarita Jimenez (received tenure), Tessa Watson, and Maria Martinez. The motion to approve these rehires was made by board member Gladys Yelverton with a second from Astemborski.

Brunson made a motion with a second from Astemborski to rehire Ricky Mularz with the school system's transportation department.

Two other personnel

See ELBA, Page 3



**IT SOUNDED LIKE A BOMB!** The residents on Forest Lake Drive heard a startling 'boom' Saturday afternoon, April 25, close to 3 p.m., when a dead tree turned loose from the ground and fell onto city powerlines. The after-effect was no electricity for a little over an hour as City of Elba electric department employees were called in to fix the problem. Members of the Elba Fire Department also were dispatched to standby due to the tree smoking after it fell on the powerline. The tree never actually caught fire, and the electric workers were able to cut the tree from the powerline, and repair the damages caused by this unexpected incident Saturday afternoon. Elba Police also were on scene for traffic control until the matter was deemed no longer a danger to the public.

## Commission awards bid to benefit Ben E. Keith construction project

by Linda Hodge, Editor

With appropriate social distancing seating arrangements in place, the Coffee County Commission met Monday morning, April 27, inside the community room of the county complex in New Brockton, Ala.

Upon the recommendation of county engineer Marty Lentz, commissioners awarded a bid to W.S. Newell & Sons Inc. on an industrial access project for Ben E. Keith Foods, just outside New Brockton. This is to construct auxiliary turn lanes into the new distribution center for Ben E. Keith currently under construc-

tion.

Two bids were received with the one from W.S. Newell being the low bid at \$692,979.44. A second bid came from Wiregrass Construction in the amount of \$718,833.60.

Lentz said the Alabama Department of Transportation concurred to award the project to the low bidder, W.S. Newell. Commissioners voted unanimously to approve this request.

Lentz asked commissioners to approve a bid on aluminized corrugated metal pipe to Twin Oaks Environmental in the amount of \$29,378.80. This was the low bid of four re-

ceived, and commissioners voted unanimously to approve the bid.

Upon recommendation of the county engineer, commissioners voted to send out bids for lime rock material. Lentz said this material is similar to limestone but a little bit softer. He said the county had used some previously and really liked the material, especially on unpaved roadways.

The final request from Lentz during Monday's meeting was to receive permission to offer a 5-ton propane HVAC unit for sale on GovDeals.com. He said this unit, only about three years old, comes from the court-

house building in Elba,

which had been replaced with another unit.

County administrator Rod Morgan said Monday morning that county buildings remained closed to the public as part of the COVID-19 health safety precautions, but he said the county, like everyone else, was awaiting word from Governor Kay Ivey on her plans to begin reopening the state. The current Stay-At-Home public health order remained in place until April 30th.

Morgan said when county buildings/offices do begin to reopen there most likely would be restrictions in place for a while. He said it might even be required to have a temperature check before being allowed into the buildings.

"Things may be a little different for a while," Morgan said. "We are making

All board members were

in attendance whether it was

in-person at the central of-

fice, via telephone or logged in via the Zoom meetings application.

Upon the recommendation of Superintendent Kevin Killingsworth, a probationary principal's contract was approved for Holli Richardson to be the new principal of New Brockton Elementary School. Prior to this appointment, she already was serving at NBES as assistant principal.

In other personnel matters, Bradley Bowers was employed as the new assistant principal at Zion Chapel School for the 2020-2021 school year. He was a former teacher and coach at Zion Chapel, and most recently was an employee of the Enterprise School System.

The retirement of Deborah Herron, guidance counselor at New Brockton Elementary, was approved to be effective June 1st.

Christie Trawick was hired to be a reading specialist at Zion Chapel School for the 2020-2021

See CCBOE, Page 3



**LOCKETT SWORN-IN TO SERVE AS ELBA CITY COUNCILPERSON...** On Monday, April 27, Coffee County District Judge Joshua Wilson (right) administered the oath of office to Johnathan Lockett (left) to be the District One councilperson on the Elba City Council for the remainder of the current term. The swearing-in ceremony was held at the Coffee County Courthouse in Elba. Lockett was appointed recently by the Elba City Council to fill the District One seat for the remainder of the current term. The seat had been vacated by Rolanda Jones as she relocated to Birmingham, Alabama for her career. Lockett attended his first city council meeting as the District One councilperson later Monday evening. This meeting was held via teleconference due to COVID-19 public health safety precautions.

## Coffee County death from COVID-19 reported erroneously

Last week, ADPH reported to Coffee County EMA that the county had its first attributed death of a resident due to the COVID-19 virus, but the following day, ADPH retracted that information saying the death was wrongfully reported.

At that time, the ADPH dashboard for Coffee County was updated to reflect zero deaths in Coffee County at this time as a result of COVID-19.

"Coffee County EMA depends on information provided by the Alabama Department of Public Health (ADPH) regarding number of tests administered, number of positive cases, and deaths related to COVID-19," said Coffee County EMA director James Brown. "We regret when these numbers are falsely reported as this adds to confusion and trust in the reliability of reported numbers but commend ADPH for correcting information that is discovered to be inaccurate or faulty."

## EDITORIAL

## BRAINSTORMS

With Ferrin Cox

*"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."* — Martin Luther King

Clearly the medical folks need to get a list of every person in the U. S. who has had the coronavirus and gotten well. We read an article about a 52 year old man who was . . . well he was dying from the virus but is now well! The answer appears to be a transfusion he got from another man who had also won the battle with the virus and days later - going home from the hospital - well! Now this may not be the magic cure, but if this old man comes down with that stuff, get us a transfusion ASAP!

The pressure on the world's caregivers has got to be horribly depressing. That is no better pointed out than by the report of the female doctor, herself a class act and a leader at a large 400 bed hospital, being so overwhelmed by the virus cases she was witnessing daily and watching many of them die because she had no cure for their sickness that alas, she committed suicide last week. Not only was she doctoring those with the virus and striving to protect her co-workers in the hospital, but she herself had survived it and gone back to work.

Next is the story of a man who posted tweets that the whole thing is just a political ploy. Well unfortunately he died of the 'political ploy'. It is amazing that so many people still don't believe this pandemic is the real thing but think it is just a weird Public Relations plot by evil politicians.

All the news - in newspaper, magazine, radio and TV is about the virus (OH, and don't forget the social media experts). Of course that is what people are concerned with today. When - if - this thing ever settles down, Americans can go back to Trump-or-no-Trump, climate change, the economy, China, student loans, the mess in the Middle East, etc. But for today be assured that any news you are in contact with for the foreseeable future has a virus report right next to it and with bigger headlines. Therein lies a subject for some college professor to do an in-depth study of why and how humans select our most important disasters to worry about.

It is tragic to see food rotting in the fields as America continues efforts to cope with multiple issues related to the coronavirus disaster. Food banks are in dire need of additional food for the unemployed millions, and farmers really can't afford to lose a crop, but both issues continue to worsen every day. There has to be some solution to this problem that is only getting to be a bigger and bigger detriment to everyone enjoying "The American Dream". Someone who just got to find it and see that it is enacted - all the way from Washington D. C. to the branchheads of South Alabama. Ugh . . . a chill went down our spine on that last sentence, implying that D. C. can cure all the world's problems (like maybe throwing some more taxpayer money on it).

## Shop ELBA for Your Needs!

Due to the COVID-19 health restrictions, many of our businesses have closed their dining halls and shopping areas, BUT they are still open for business in other ways! Use drive-thru, order takeout, order online for curbside pickup or shipping, call ahead, etc.

Please Support Elba Businesses During this Time!!

The Elba Chamber of Commerce

## The Elba Clipper

USPS 171-080

is published every Thursday by The Elba Clipper,  
417 W. Buford St., Elba, Alabama 36323  
Publication Postage paid at Elba, Alabama 36323

Postmaster: Send Address Changes To:  
The Elba Clipper, P.O. Box 677, Elba, AL 36323-0677

Copyright - all Rights Reserved  
TELEPHONE (334) 897-2823 or fax (334) 897-3434  
e-mail clipper@troycable.net

John Ferrin Cox - PUBLISHER  
Linda Hodge - EDITOR  
Ricky Mularz - SPORTS  
Heddy J. Cox - BUSINESS MANAGER

SUBSCRIPTION RATES  
Coffee County & Surrounding Counties - \$21 per year  
6 Months - \$11, including city & state tax  
Alabama Counties - \$24 per year - including tax  
6 months - \$13  
Outside Alabama - \$27 per year - 6 months - \$15

FOR THE LOVE  
OF ALABAMA,  
TAKE YOUR  
CENSUS.

COMPLETE YOURS AT  
MY2020CENSUS.GOV

Alabama  
2020 CENSUS

## SAFER

(Continued from Page One)

Friday, April 30, at 5 p.m., the state would transition into the Safer-At-Home public health order. She said this would allow for the state's residents to continue to maintain their focus on personal health, but it would also allow a focus now also on the state's economic health too.

In this new order, all individuals, especially vulnerable persons, are encouraged to exercise personal responsibility in slowing the spread of COVID-19 by: minimizing travel outside of the home, especially if sick; wearing face coverings around people from other households when it is necessary to leave the home; washing hands frequently with soap and water or hand sanitizer, especially after touching frequently used items or surfaces; refrain from touching one's face; sneeze and/or cough into a tissue, or the inside of one's elbow; and disinfect frequently used items and surfaces as much as possible.

Orders for non-work related gatherings that have been in effect since March 28<sup>th</sup> in the state remain in effect with the new order. Gatherings of 10 persons or more that cannot maintain a consistent six-foot distance between persons from different households are prohibited. However, drive-in gatherings are permitted if certain criteria are met, including: persons remaining in their vehicles, each person in the vehicle must be from the same household, participants shall not come within six feet of participants in other vehicles.

"Effective April 30<sup>th</sup>, all retail stores can open with no more than 50 percent occupancy of normal occupancy [as determined by the fire marshal]," Ivey said. Also, she said an employee of the retail store may not knowingly allow customers to congregate within six feet of one another.

The governor also said Alabama's beaches would reopen as of Friday, April 30, at 5 p.m.; however, she said social distancing must be maintained on the beaches with persons other than those from one's household. She further said that no large gatherings of 10 or more could congregate together on the beaches.

Ivey said higher-risk businesses and activities would still be closed through the new Safer-At-Home order as well. This includes entertainment venues, athletic facilities, and close contact service providers.

Entertainment venues noted in the order were: night clubs, bowling alleys, arcades, concert venues, theaters, auditoriums, performing arts centers, tourist attractions - museums and planetariums, race tracks, indoor children's play areas, casinos, bingo halls, and venues operated by social clubs.

He said he believes a gradual reopening makes sense, but it is important for Alabamians to continue to be cautious.

"Even as we open things back up, we need people to work with us and continue to do things differently for a while," Harris said. "I strongly encourage that masks be worn when going out where you will be around people other than those in your household."

He said he knows the state is a ways from where

Athletic facilities noted in the order were: fitness centers and commercial gyms, spas, sports involving interaction with another person of closer than 6 feet, activities that require use of shared sporting apparatus and equipment, and activities on commercial or public playground equipment.

Close-contact service providers noted were: barber shops, hair salons (other than hair restoration centers), waxing salons, threading salons, nail salons and spas, body art facilities and tattoo services, and massage therapy establishments and services (other than medically prescribed services).

The only other notable change to the new Safer-At-Home order, beginning Friday at 5 p.m., is that dental, medical or surgical procedures may proceed unless the State Health Officer or his designee determines that performing such procedures would unacceptably reduce access to personal protective equipment or other resources necessary to diagnose and treat COVID-19.

Restaurants and similar establishments must still keep their services to take-out or drive-thru only with the new order, as well. There still will be no on-premise consumption of food or drink at these establishments.

"The COVID-19 threat is not over," Gov. Ivey said. "We must continue to be vigilant in protecting ourselves."

She strongly encouraged wearing face masks when outside of the home, and she also encouraged teleworking when possible.

State Health Officer Dr. Scott Harris said he believes it is very reasonable for Alabama to begin a gradual opening as announced by Ivey during Tuesday's press conference. He said for the past several days, the state's new case numbers are relatively flat, meaning they tend to stay around the 200 mark rather than steadily increasing.

"I am very pleased at how our hospitals have handled their case load," Harris said. "We have yet to meet the 14-day decline in cases as suggested by the White House with its reopening phase one plan, and we are not opening entertainment, gyms, and restaurants [with the new health order] because we have not met that 14-day decline in the number of new cases."

He said he believes a gradual reopening makes sense, but it is important for Alabamians to continue to be cautious.

"Even as we open things back up, we need people to work with us and continue to do things differently for a while," Harris said. "I strongly encourage that masks be worn when going out where you will be around people other than those in your household."

He said he knows the state is a ways from where

it needs to be in overcoming the COVID-19 crisis, but he said the state is getting closer.

Governor Ivey also asked

Dr. Jay Wolfe, pastor of

First Baptist Church Mont-

gomery, to address the re-

turn to worship inside

churches. She said one out

of two Alabamians attend

church and that is an es-

sential part of the lives of Al-

abamians.

Dr. Wolfe spoke with reli-

gious leaders across the

state, and he said the con-

sensus was that large in-per-

son gatherings, like inside

church buildings, should

move slowly. He said the

reopening of church build-

ings should be done in a

way that does not inadver-

tently effect the spread of

the COVID-19 virus.

"Like you, we want to

honor the Lord, help people,

and do what is right," Dr.

Wolfe said. "Alabama does

not meet the criteria right

now [looking at the CDC 3-

Phase approach] for reopen-

ing houses of worship.

Therefore, it is currently un-

advisable to reopen church

buildings to gatherings."

Wolfe recommended that

churches continue to bring

their worship services to

people via online messages

and drive-up services for

now.

Ivey concluded her re-

marks saying Tuesday's an-

nouncement was the first

phase of what she expects to

be a multi-phased reopening

for Alabama. She said the

Safer-At-Home order was

an Alabama developed and

Alabama prepared order.

"Our job is to find the

right balance," Ivey said.

Anyone caught in viola-

tion of the public health

order could face fines of up

to \$500 for each offense.

"This has certainly been

challenging, but better days

are ahead," Ivey said. "I am

sure of it."

## Elba Police Report

The Elba Police Department, between Tuesday, April 21, and Monday, April 27, conducted the following activity:

**TUESDAY, APRIL 21** — Officers responded to a suspicious person complaint at 506 Putnam St (3:33 a.m.); Officers responded to a harassing communications complaint on Hwy 166 (11:37 a.m.).

**WEDNESDAY, APRIL 22** — Officers responded to a reported overdose/poisoning at 1123 Deal St (12:46 a.m.); Officers responded to a suspicious person complaint at the Inland store on Davis St (4:30 a.m.); Officers responded to a theft of services complaint at 989 County Rd 239 (2:26 p.m.); Officers responded to a report of an assault at the Dollar General store on Hwy 203 (9:53 a.m.); Officers responded to a suspicious person complaint at 775 Claxton Ave (2:38 p.m.).

**MONDAY, APRIL 27** — Officers responded to a domestic complaint at 25384 Hwy 189 (4:24 a.m.); Officers responded to a complaint of an unauthorized use of a motor vehicle at 1272 Ann St (5:31 a.m.); Officers responded to a criminal mischief complaint at 989 County Rd 239 (2:26 p.m.); Officers responded to a domestic complaint at 702 Newton St (2:42 p.m.); Officers responded to a theft of property complaint on Simmons St (5:14 p.m.); Officers responded to a theft of property complaint at 1279 Davis St (3:06 p.m.); Officers responded to a disturbance complaint on Collier St (8:37 p.m.).

**THURSDAY, APRIL 23** — Officers responded to a suspicious person complaint at 949 Hwy 203 (4:31 a.m.); Officers responded to a theft of property complaint at 316 Simmons St (7:16 a.m.); Officers responded to a theft by deception complaint at 429 Claxton Ave (1:43 p.m.); Officers responded to a suspicious person complaint at the Elba Laundromat on Davis St (5:24 p.m.); Officers responded to a trespassing complaint at 1699 County Rd 249 (8:09 p.m.); Officers responded to an assault complaint at 990 Hwy 203 (10:52 p.m.).

**FRIDAY, APRIL 24** — Officers responded to a traffic accident at 992 Hwy 203

**The Elba City Council approved an ordinance to adopt regulations for small cell technology facilities in the City of Elba during its regular meeting Monday night, April 27th. Read the entire Ordinance at Pages 6-8 of today's paper.**

**HPV VACCINE FACTS:**

90%  
Prevents 90% of HPV cancers.  
HPV vaccine can prevent at least 6 types of cancers.  
4 out of 5 people will get HPV in their lives.

Alabama Public Health IMM  
Alabama Public Health IMM  
Alabama Public Health IMM



## CHURCH NEWS

### Westside Baptist Church offering Drive Up Church on Sundays



The Sunday, April 26, drive up worship service for Westside Baptist Church was well attended. Church members said this would be how the church service is conducted for now at Westside due to the continued efforts to stay safe from the COVID-19 pandemic. The drive up service is held at 10:30 a.m. Sunday mornings and all are welcome to attend.

#### Due to COVID-19 crisis

#### Basin Baptist Church moves Sunday morning services to Facebook page

During this unprecedented time of social distancing due to the Coronavirus pandemic across the state and nation, Basin Baptist Church has altered its presentation of Sunday Morning Worship to be able to still bring the Word of God to its people.

Until the church is able to safely reopen the church building for its regular serv-

#### Cemetery Clean Up planned for Antioch Primitive Church

Antioch Primitive Baptist Church will hold a cemetery cleaning on Saturday, May 2, at 10 a.m.

**IN HIM WAS LIFE AND THE LIFE WAS THE LIGHT OF MEN**

**ABUNDING GRACE COMMUNITY CHURCH**  
Rockey Pearce, Pastor  
Morn. Worship... 11:00 a.m.  
Even. Service... 5:00 p.m.

**ABUNDANT LIFE CHURCH**  
CHURCH SAMSON, Alie  
Richard Thorn Sr., Pastor  
Morn. Worship... 10:30 a.m.  
Wed. Night Service 7:00 p.m.

**ALBERTON BAPTIST CHURCH**  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Discipline Train... 5:30 p.m.  
Even. Worship... 6:00 p.m.  
Wed. Prayer Service 7:00 p.m.

**BASIN BAPTIST CHURCH**  
Mark Ward, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Wed. Bible Study... 6:15 p.m.

**BETHEL AME CHURCH**  
Rev. Deborah A. Butler, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Wed. Bible Study... 6:00 p.m.

**BETHLEHEM BAPTIST CHURCH**  
Greg Cotter, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Discipline Train... 5:30 p.m.  
Even. Worship... 6:00 p.m.  
Wed. Prayer Service 6:30 p.m.

**BLUFF SPRINGS BAPTIST CHURCH**  
Tom Senn, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Worship... 6:00 p.m.  
Wed. Prayer Service 6:30 p.m.

**BROOKLYN BAPT CHURCH**  
Robert Davis, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Worship... 6:00 p.m.

**CHESTNUT GROVE METHODIST**  
Rev. Remonia Smith  
Church Service... 9:00 a.m.  
2nd & 4th Sundays  
Sunday School... 9:00 a.m.  
1st, 3rd & 5th Sundays  
Sunday School... 10:00 a.m.  
2nd & 4th Sundays

**CORNERSTONE BIBLE CHURCH**  
Larry Mills, Pastor  
Sunday School... 10:00 a.m.  
Sunday Worship... 11:00 a.m.  
Wed. Night... 7:00 p.m.

**ELBA 1st ASSEMBLY OF GOD**  
Night Johnson, Pastor  
Sunday School... 9:30 a.m.  
Morn. Worship... 10:30 a.m.  
Even. Service... 6:00 p.m.  
Wed. Prayer Service 6:30 p.m.

**ELBA 1st BAPTIST CHURCH**  
Tom Anderson, Interim Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 10:00 a.m.  
Even. Services... 6:00 p.m.  
Wed. Bible Study... 6:00 p.m.

**ELBA UNITED METHODIST CHURCH**  
Steve Renau, Pastor  
Morn. Worship... 8:45 a.m.

**HERBON BAPT. CHURCH**  
Mark Cooper, Pastor  
Sunday School... 9:45 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
Wed. Prayer Service 7:00 p.m.

**ELBA ZION BAPT. CHURCH**  
Loved Martin, Pastor  
Sunday School... 9:45 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:00 p.m.  
Wed. Even. Meeting 7:00 p.m.

**HEBRON BAPT. CHURCH**  
Mark Cooper, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
Wed. Even. Meeting 7:00 p.m.

**MT. VERNON ASSEMBLY OF GOD**  
Lorraine Flowers, Minister  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
Wed. Even. Meeting 7:00 p.m.

**NEW PHILADELPHIA CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE WAY OF HOLINESS CHURCH, Elba**  
Max Reed, Minister  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:30 a.m.  
Tuesday Bible Class... 7:00 p.m.

**TRINITY BAPTIST CHURCH**  
C.P. Davis, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 10:00 a.m.  
Even. Service... 5:00 p.m.  
Wed. Night Service 6:00 p.m.

**WOODLAND GROVE BAPTIST CHURCH**  
Donnie Marler, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 5:30 p.m.  
Wed. Prayer Meet... 7:00 p.m.

**WOOTON CHAPEL ASSEMBLY OF GOD CHURCH**  
Mike Medley, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 5:00 p.m.  
Wed. Service... 7:00 p.m.

**ZION CHAPEL BAPTIST CHURCH**  
John Isaacs, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:00 p.m.  
Wed. Service... 7:00 p.m.

**ZION CHAPEL OF JESUS CHURCH**  
Cary Maulden, Pastor  
Sunday School... 9:45 a.m.  
Morn. Worship... 12:00 a.m.  
Even. Service... 7:00 p.m.  
Youth Ser. Mon... 7:00 p.m.  
Wed. Bible Class... 7:00 p.m.

**ZOAR COMMUNITY CHURCH**  
John Isaacs, Pastor  
Sunday School... 10:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:00 p.m.  
Tuesday Bible Class... 7:00 p.m.

**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**  
Pastor Bishop E.H. Hill  
Sunday School... 10:00 a.m.  
Morn. Worship... 12:00 a.m.  
Even. Service... 7:00 p.m.  
Youth Ser. Mon... 7:00 p.m.  
Wed. Bible Class... 7:00 p.m.

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

**THE CHURCH OF GOD IN CHRIST**  
Larry Shepard, Pastor  
Sunday School... 9:00 a.m.  
Morn. Worship... 11:00 a.m.  
Even. Service... 6:30 p.m.  
2nd & 4th Sundays

## CLASSIFIEDS

## The Elba Clipper

P.O. Box 677 Elba, AL 36323

## TO PLACE AN AD

CALL 334-897-2823  
FAX 334-897-3434

e-mail clipper@troycable.net

## DEADLINE

The deadline for placing a classified or other advertisement is noon on Tuesday of the week in which the ad is to appear. We reserve the right to edit

## COST

Only \$500 per week (first 15 words)

FREE!

Bordered classified ad cost \$5.50 per column inch

## FOR SALE BY OWNER

Mobile Home in Elba, 1996 Spiral, 60 X 80, 3 Bedroom, 2 Bath. New A/C unit. \$9,500. Contact Mike Waddell at 334 799-1105.

4/16/8tpd

## AUTOMOTIVE

VEHICLE TITLE Problems? We have a solution! Call Jason Steward Enterprises. We're Alabama's #1 Vehicle Title Problem Experts! Free telephone consultation. North AL 1-256-850-0527, Central AL 1-205-267-5735, South AL 1-251-342-8538

## BUSINESS OPPORTUNITY

BECOME A Published Author! We edit, print and distribute your work internationally. We do the work. You reap the rewards! Call for a Free Author's Submission Kit: 1-888-283-4780.

## HEALTH/ BEAUTY

ATTENTION DIABETICS! Save money on your diabetic supplies! Convenient home shipping for monitors, test strips, insulin pumps, catheters and more! To learn more call now 1-854-504-9031

OXYGEN - ANYTIME. Anywhere. No tanks to refill. No deliveries. The All-New Inogen One G4 is only 2.8 pounds! FAA approved! FREE info kit: 1-844-322-9935

## INSURANCE

AUTO INSURANCE Starting at \$49/month! Call for your Free rate comparison to see how much you can save! Call: 1-855-408-7970

LOWEST PRICES on Health Insurance. We have the best rates from top companies! See how much you can save, Call Now! 1-844-335-8693.

SAVE BIG on Home Insurance! Compare 20 A-rated insurance companies. Let us do the shopping &amp; save you time &amp; money. Get a quote within minutes. Average savings of \$444/year! Call 1-888-674-0779. (M-F 8am-8pm Central)

## FOR SALE

BATHROOM RENOVATIONS. Easy, One Day updates! We specialize in safe bathing. Grab bars, no slip flooring &amp; seated showers. Call for free in-home consultation: 1-877-730-3876

## INSTRUCTION

TRAIN ONLINE to do Medical Billing! Become a Medical Office Professional online at CTI! Get Trained, Certified &amp; ready to work in months! Call 1-844-218-4255. (M-F, 7am-5pm)

## FINANCIAL SERVICES

DONATE YOUR Car to Charity. Receive maximum value of write off for your taxes. Running or not! All conditions accepted. Free pickup. Call for details. 1-844-810-1257



Public notices from Alabama newspapers

- Access public notices statewide 24/7
- FREE manual searches
- Search by keyword, county, or paper
- Multi-county or cross-reference searches

## PUBLIC NOTICES:

Elba Clipper Public Notices are posted on the websites: [www.elba-clipper.com](http://www.elba-clipper.com) and [www.alabamapublicnotices.com](http://www.alabamapublicnotices.com) at no extra charge

IN THE PROBATE COURT OF COFFEE COUNTY, ALABAMA ELBA DIVISION

IN RE: THE ESTATE OF CHARLES E. KELLEY DECEASED

CASE NO: PC 2019-100

NOTICE OF APPOINTMENT

Letters Testamentary on the estate of said decedent having granted to the undersigned on the 30th day of December, 2019 by the Honorable Steven E. Blair, Judge of Probate of said county in said State, notice is hereby given that all persons having claims against said estate are required to present the same within the time allowed by law of the same will be barred.

Charles S. Kelley

Edwin B. Kelley

Personal Representatives of the

Estate of Charles E. Kelley, Deceased

4/16/23/30-chg.

Advertisement for Bids

Separate sealed Bids for

Sewer Improvements for

the City of Elba, Alabama

will be will be received by

the City of Elba at City Hall

at 200 Buford Street, Elba,

Alabama 36323, until 2:00

PM CST, June 2nd, 2020 and then publicly opened

and read aloud.

A non-mandatory Pre-bid

Meeting will be held at 10:00 AM on the 21st day

of May 2020. Pre-bid

6:00 p.m. tbc

CDG ENGINEERS &amp;

ASSOCIATES, INC

170 East Main Street

Dothan, AL 36301

(334) 677-9431

Copies of the Contract Docu-

ments may be obtained at the

Issuing Office, THE

OFFICE OF THE ENGI-

NEER / CDG ENGINEERS

&amp; ASSOCIATES, INC. lo-

cated at 170 EAST MAIN

STREET, DOTHAN, AL

36301, upon payment of

\$75.00 for each set.

(PRIOR PAYMENT RE-

QUIRED. SUM WILL

NOT BE REFUNDED.)

S/T/R-28/06N/20E HWY 125

COM AT INT S/L NE 1/4 OF S

E1/4 &amp; E/L HWY 125 NLY 28

0' (S) TO POB SE 200' NE

300' NW 200' TO HWY SWLY

ALG HWY 30 0' TO POB

Tax &amp; Costs 101.50

Printing Fees 76.44

Total 177.94

PRESCOTT HANSEL

11-04-18-4-001-001.001

S/T/R-18/05N/20E COM AT

INT N/L SE1/4 &amp; W ROW

PAYNE ST WLY 200'(S) TO

POB S 2 00' W 100' N 200' E

100' TO POB

Tax &amp; Costs 6783.54

Printing Fees 54.00

Total 6837.54

TROY LAND INVESTMENTS

LLC C/O CINDY

M E N D E N H A L L

02-03-05-0-000-005.001

S/T/R-05/07N/21E BEG AT

SW COR NW 1/4 OF SW 1/4

&amp; TH E 1370'S, N 600', NWLY

100', SWLY 453.76', NWLY

346.94', NE LY 435.72',

NWLY 73' S, SWLY 216.09',

NW 218.99', NE 243.54', NW

187.83', W 586.28', S 1330'S

TO P.O.B. CONT 30 AC 2

MH,BARN,2 MH S

Tax &amp; Costs 718.08

Printing Fees 89.64

Total 807.72

TROY LAND INVESTMENTS

LLC 02-03-05-0-000-005.002

S/T/R-05/07N/21E COM AT

INT OF E/L OF NW1/4 OF

SW1/4 &amp; W/R/W OF CO RD

201, NW 100' TO POB. SE

453.76'; NE 346.94'; NE

453.72'; SE 487.32' TO POB.

CONT. 4.31 ACRES.

BARN,UTIL

Tax &amp; Costs 155.76

Printing Fees 68.52

Total 224.28

TROY LAND INVESTMENTS

LLC 02-03-05-0-000-005.003

S/T/R-05/07N/21E COM AT

NW COR OF THE NW 1/4 OF

SW 1/4, TH E 586.28', SE

187.83' TO P.O.B. SE

268.35', SW 216.09', NW

218.99', NE 243.54' TO P.O.B.

CONT 1.27 SHOP

Tax &amp; Costs 692.78

Printing Fees 65.88

Total 758.66

RICHARDS CYNTHIA RAE

12-02-10-0-000-006.000

S/T/R-10/05N/19E A LOT IN

NE1/4 OF NW1/4 DESC AS

FOL BEG @ INT OF N/L OF

SD FO RTY &amp; NLY R/W OF

US 84 TH WLY 680' TOPOB

TH WLY 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

POB. SE 100' TH NW 200' TO

E 100' TH SWLY 170' TO POB

# Public Notice - City of Elba Ordinance No. 04272020

**CITY OF ELBA, ALABAMA; ORDINANCE NO. 04272020**  
**AN ORDINANCE TO ADOPT REGULATIONS FOR SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF ELBA, ALABAMA**

**WHEREAS**, the Telecommunications Act of 1996 affirmed the City of Elba, Alabama's ("the City") authority concerning the placement, construction, and modification of wireless telecommunications facilities and authorized local governments to enact responsible regulations for the placement, expansion, height, and maintenance of Small Cell Technologies Facilities and associated Support Structures; and

**WHEREAS**, pursuant to Section 11-45-1 of the *Code of Alabama* (1975), municipal corporations may adopt resolutions and ordinances to provide for the safety, preserve the health, promote the prosperity, and improve the welfare, order, comfort, and convenience of the inhabitants of the municipality; and

**WHEREAS**, the City Council of the City of Elba, Alabama ("the City Council") finds that installation of small wireless telecommunications facilities without City review and permitting may pose significant concerns to the health, safety, public welfare, character, and environment of the City and its inhabitants; and

**WHEREAS**, the installation, expansion, and maintenance of Small Cell Technology Facilities and associated Structures on or along the Right-of-Way and on private properties might have significant impact upon: (1) the aesthetic values and historical character of the City; (2) safe use and passage on or along the Right-of-Way by the public; and (3) properties and property values in the City in areas where such Structures are placed; and

**WHEREAS**, the City recognizes that facilitating the development of small wireless facility technology can be an economic development asset to the City and of significant benefit to the City and its residents; and

**WHEREAS**, the adoption of the regulations, procedures, and requirements in this Ordinance will permit Applicants and Providers to enhance the provision of personal wireless service and protect the public welfare, health, safety, and interests of the City's citizens; and

**WHEREAS**, the City wishes to establish reasonable service fees and charges in order to facilitate the proper permitting and processing of applications for the placement of small wireless telecommunications facilities;

**THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ELBA, ALABAMA, AS FOLLOWS:**

**Article 1.** The City Council hereby adopts the following regulations pertaining to Small Cell Technology Facilities:

**Sec. 1. Definitions.**

The following definitions shall apply in the interpretation of this Ordinance:

**Abandonment or Abandons** means that, following the placement of Small Cell Technologies Facilities (and associated Accessory Equipment) or Support Structures in the City pursuant to a permit issued to a Provider or an Applicant, any of the following has occurred:

for any reason the Facilities cease to be used to transmit signals, data, or messages or otherwise be used for their intended purposes for a period of one hundred eighty (180) days;

the City revokes the permit for placement and use of those Facilities due to non-payment of applicable fees, the failure of the Provider or

Applicant to comply with conditions in the permit or in this Ordinance concerning them, or other lawful reason; or

the Provider or Applicant fails to perform any of its responsibilities, obligations, or requirements in this Ordinance or in a permit that relate to the installation, construction, maintenance, use, or operation of the Facilities, Accessory Equipment or Support Structures, and that breach remains uncured for a period of sixty (60) days after the City provides written notice of the breach to the Provider or Applicant.

**Accessory Equipment** means any equipment other than an antenna that is used in conjunction with Small Cell Technology Facility arrangements. This equipment may be attached to or detached from a Small Cell Technology Wireless Support Structure, and in includes, but is not limited to, cabinets, optical converters, power amplifiers, radios, DWDM and CWDM multiplexers, microcells, radio units, fiber optic and coaxial cables, wires, meters, pedestals, power switches, and associated Accessory Equipment.

Photographs and illustrations of the types, relative dimensions, and scale of these Facilities that are permitted by this Ordinance are attached as Exhibit A to the permanent record of the Ordinance adopting this Ordinance that is maintained by the City Clerk.

**Antenna** means communications equipment that transmits and receives electromagnetic radio signals, is attached to a Small Cell Technology Wireless Support Structure, and is used to communicate wireless service.

**Applicant**, whether singular or plural, means a personal wireless service provider, an entity that is authorized by a personal wireless service provider to apply for or receive a permit to install, construct, modify, or maintain a Small Cell Technology Facility and related Accessory Equipment or Support Structure in the City, or an entity certified by the Alabama Public Service Commission to provide telecommunication service.

**Application** means a formal request submitted to the City for a permit to install, construct, modify, or maintain a Small Cell Technology Facility and related Accessory Equipment or Support Structure by incorporating features or design elements which either totally or partially conceal such Facilities or Equipment. The use of these design elements is intended to produce the result of having said Facilities and associated Structures blend into the surrounding environment and/or disguise, shield, hide, or create the appearance that the Facilities architectural component of the Support Structure. Photographs and illustrations of examples of the types of Stealth Technology that may be used when buildings are utilized as Support Structures and other applications of Stealth Technology that are permitted by this Ordinance are attached as Exhibit B to the permanent record of the Ordinance adopting this Ordinance that is maintained by the City Clerk.

**City** means the City of Elba, Alabama.

**City Council** means the City Council of the City of Elba, Alabama.

**Sec. 2. Permit Required for Small Cell Technology Facilities.**

A Provider or Applicant must obtain a permit from the City:

before placing, installing, or constructing any Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located in the Right-of-Way; before placing, installing, or constructing any Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located on City-owned property; before substantially modifying the position or characteristics of any existing Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located in the Right-of-Way; before placing, installing, or constructing any Small Cell

highways, roads, courts, lanes, alleys, boulevards, ways, sidewalks and bicycle lanes, including all public utility easements and public service easements within those places, as the same now or may hereafter exist, that are within the City's corporate boundaries and under the jurisdiction of the City. This term shall not include (a) any county, state, or federal Right-of-Way or any property owned by any person or entity other than the City nor (b) any non-Right-of-Way property owned by the City, such as a park or building.

**Small Cell Technology Facility(ies) or Facilities**, whether singular or plural, has the same definition as "small wireless facilities," as that term is defined by Federal Communications Commission ("FCC") Rule, 47 C.F.R. Section 1.6002, as it may be amended over time, and includes both the antenna; and associated Accessory Equipment.

Photographs and illustrations of the types, relative dimensions, and scale of these Facilities that are permitted by this Ordinance are attached as Exhibit A to the permanent record of the Ordinance adopting this Ordinance that is maintained by the City Clerk.

**Small Cell Technology Wireless Support Structure or Support Structure**, whether singular or plural, means a freestanding structure designed or used to support, or capable of supporting, Small Cell Technology Facilities, including, but not limited to, utility poles, street light poles, traffic signal structures, rooftops, attics, or other enclosed or open areas of a building or accessory structure, a sign, or a flag pole.

**Stealth Technology** means one or more methods of concealing or minimizing the visual impact of a Small Cell Technology Facility (and associated Accessory Equipment) and Support Structure by incorporating features or design elements which either totally or partially conceal such Facilities or Equipment. The use of these design elements is intended to produce the result of having said Facilities and associated Structures blend into the surrounding environment and/or disguise, shield, hide, or create the appearance that the Facilities architectural component of the Support Structure. Photographs and illustrations of examples of the types of Stealth Technology that may be used when buildings are utilized as Support Structures and other applications of Stealth Technology that are permitted by this Ordinance are attached as Exhibit B to the permanent record of the Ordinance adopting this Ordinance that is maintained by the City Clerk.

**Colocation** means the placement or installation of a new Small Cell Wireless Technology Facility or related Accessory Equipment on an existing pole or other Support Structure that is owned, controlled, or leased by a utility, the City, or other person or entity.

**Decorative pole** means a pole that is specially designed and placed for aesthetic purposes or is otherwise architecturally significant and on which no appurtenances or attachments, other than a small wireless facility, lighting, specially designed informational or directional signage, or temporary holiday or special event attachments, have been placed or are permitted to be placed.

**Personal Wireless Service Provider or Provider** means an entity that provides personal wireless communication services to the public or citizens of the City on a commercial basis and is authorized by the FCC to provide those services.

**Private Property** means real property located within the corporate limits of the City that does not lie within the Right-of-Way.

**Right-of-Way or Rights-of-Way**, whether singular or plural, mean the surface and space in, upon, above, along, across, over and below any public streets, avenues,

Technology Facility (and associated Accessory Equipment) on any Support Structure that is located on private property; or before substantially modifying the position or characteristics of any existing Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located in the Right-of-Way.

Technology Facility (and associated Accessory Equipment) on any Support Structure that is located on private property; or before substantially modifying the position or characteristics of any existing Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located in the Right-of-Way.

**Sec. 3. Permit Application Submission.**

At a minimum, each application for a permit shall contain all of the following:

Engineering drawings depicting the type of Facilities, Support Structures, and means and points at which such Facilities and associated Accessory Equipment will be attached to a Support Structure;

Engineering drawings that are sufficient to allow the Appropriate Municipal Official to determine whether the proposed Facilities and Support Structures comply with the requirements for Small Cell Technology Facilities and Support Structures set forth in Sec. 6;

Whether the proposed Facilities and Support Structures comply with the requirements for Small Cell Technology Facilities and Support Structures set forth in Sec. 6;

Whether denial of the application would prohibit or have the effect of prohibiting the provision of personal wireless service or telecommunications service;

Whether the proposed installation could cause harm to the public or pose any undue risk to public safety, except that no permit may be denied on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions;

Whether the proposed installation may interfere with vehicular traffic, passage of pedestrians, or other use of the right-of-way by the public; and

For an initial application to deploy Small Cell Technology Facilities, if the Appropriate Municipal Official notifies the Applicant on or before the 10<sup>th</sup> day after submission that the application is materially incomplete, and clearly and specifically identifies the missing documents or information and the specific rule or regulation creating the obligation to submit such documents or information, the shot clock date calculation shall restart at zero on the date on which the applicant submits all the documents and information identified by the siting authority to render the application complete.

For resubmitted applications following a notice of deficiency, the tolling period shall be the number of days from -

The day after the date when the Appropriate Municipal Official notifies the Applicant in writing that the Applicant's supplemental submission was not sufficient to render the application complete and clearly and specifically identifies the missing documents or information that need to be submitted based on the Appropriate Municipal Official's original request under Paragraph C. of this Section; until

The date when the Applicant submits all the documents and information identified by the Appropriate Municipal Official to render the application complete;

The applicant must certify in writing to the City that it was unable to co-locate on an existing Support Structure for reason(s) such as i) lack of an existing Structure; ii) lack of a Structure meeting the technical needs of the Provider; or iii) not being able to secure an attachment agreement with the owner of an existing Structure.:

The Appropriate Municipal Official will review and administratively process any request for a permit to determine whether, in the exercise of the Appropriate Municipal Official's reasonable discretion, the permit should be issued for the location and in the manner requested by the Applicant. In this process, the burden is on the Provider or Applicant to demonstrate that the placement of the proposed Small Cell Technology Facility and associated Accessory equipment or Support Structure is the minimal physical installation which will achieve the goal of enhancing the provision of personal wireless service when considering all pertinent factors discussed in this Ordinance. Except as set forth in this Ordinance and as provided for in the case of appeals in the City's Zoning Ordinance, this permitting process will be administrative in nature and not require the approval of any

City board or City official other than the Appropriate Municipal Official.

If the Appropriate Municipal Official denies a request to place, construct, or modify personal wireless service facilities, the Appropriate Municipal Official's determination shall be in writing and supported by substantial evidence contained in a written record.

The factors, requirements, and guidelines that the Appropriate Municipal Official may consider and will apply when determining whether to issue a permit for placement of Small Cell Technology Facilities and associated Structure on the Right-of-Way include, but are not limited to, the following:

Whether the proposed Facilities and Support Structures comply with the requirements for Small Cell Technology Facilities and Support Structures set forth in Sec. 6;

Whether denial of the application would prohibit or have the effect of prohibiting the provision of personal wireless service or telecommunications service;

Whether the proposed installation could cause harm to the public or pose any undue risk to public safety, except that no permit may be denied on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions;

Whether the proposed installation may interfere with vehicular traffic, passage of pedestrians, or other use of the right-of-way by the public; and

If the proposed installation will disturb conditions on the right-of-way, whether the applicant has agreed in writing that it will restore the subject area to its pre-existing condition following installation.

To the extent practical, all Facilities and associated Accessory Equipment that are placed in the City shall be attached to a pre-existing Support Structure that is owned, controlled, or leased by a utility, franchisee, the City, or other entity. If the Applicant demonstrates that no commercially reasonable or technically feasible colocation opportunities exist in the area where a technologically documented need for a Facility exists, the Applicant may request that a new pole or other Support Structure be installed in that area for purposes of constructing the Facilities. Before any new Support Structure is permitted, each of the following must occur:

The day after the date when the Appropriate Municipal Official notifies the Applicant in writing that the Applicant's supplemental submission was not sufficient to render the application complete and clearly and specifically identifies the missing documents or information that need to be submitted based on the Appropriate Municipal Official's original request under Paragraph C. of this Section; until

The date when the Applicant submits all the documents and information identified by the Appropriate Municipal Official to render the application complete;

The applicant must certify in writing to the City that it was unable to co-locate on an existing Support Structure for reason(s) such as i) lack of an existing Structure; ii) lack of a Structure meeting the technical needs of the Provider; or iii) not being able to secure an attachment agreement with the owner of an existing Structure.:

The Appropriate Municipal Official will review and administratively process any request for a permit to determine whether, in the exercise of the Appropriate Municipal Official's reasonable discretion, the permit should be issued for the location and in the manner requested by the Applicant. In this process, the burden is on the Provider or Applicant to demonstrate that the placement of the proposed Small Cell Technology Facility and associated Accessory equipment or Support Structure is the minimal physical installation which will achieve the goal of enhancing the provision of personal wireless service when considering all pertinent factors discussed in this Ordinance. Except as set forth in this Ordinance and as provided for in the case of appeals in the City's Zoning Ordinance, this permitting process will be administrative in nature and not require the approval of any

City board or City official other than the Appropriate Municipal Official.

If the Appropriate Municipal Official denies a request to place, construct, or modify personal wireless service facilities, the Appropriate Municipal Official's determination shall be in writing and supported by substantial evidence contained in a written record.

The factors, requirements, and guidelines that the Appropriate Municipal Official may consider and will apply when determining whether to issue a permit for placement of Small Cell Technology Facilities and associated Structure on the Right-of-Way include, but are not limited to, the following:

Whether the proposed Facilities and Support Structures comply with the requirements for Small Cell Technology Facilities and Support Structures set forth in Sec. 6;

Whether denial of the application would prohibit or have the effect of prohibiting the provision of personal wireless service or telecommunications service;

Whether the proposed installation could cause harm to the public or pose any undue risk to public safety, except that no permit may be denied on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions;

Whether the proposed installation may interfere with vehicular traffic, passage of pedestrians, or other use of the right-of-way by the public; and

If the proposed installation will disturb conditions on the right-of-way, whether the applicant has agreed in writing that it will restore the subject area to its pre-existing condition following installation.

To the extent practical, all Facilities and associated Accessory Equipment that are placed in the City shall be attached to a pre-existing Support Structure that is owned, controlled, or leased by a utility, franchisee, the City, or other entity. If the Applicant demonstrates that no commercially reasonable or technically feasible colocation opportunities exist in the area where a technologically documented need for a Facility exists, the Applicant may request that a new pole or other Support Structure be installed in that area for purposes of constructing the Facilities. Before any new Support Structure is permitted, each of the following must occur:

The day after the date when the Appropriate Municipal Official notifies the Applicant in writing that the Applicant's supplemental submission was not sufficient to render the application complete and clearly and specifically identifies the missing documents or information that need to be submitted based on the Appropriate Municipal Official's original request under Paragraph C. of this Section; until

The date when the Applicant submits all the documents and information identified by the Appropriate Municipal Official to render the application complete;

The applicant must certify in writing to the City that it was unable to co-locate on an existing Support Structure for reason(s) such as i) lack of an existing Structure; ii) lack of a Structure meeting the technical needs of the Provider; or iii) not being able to secure an attachment agreement with the owner of an existing Structure.:

The Appropriate Municipal Official will review and administratively process any request for a permit to determine whether, in the exercise of the Appropriate Municipal Official's reasonable discretion, the permit should be issued for the location and in the manner requested by the Applicant. In this process, the burden is on the Provider or Applicant to demonstrate that the placement of the proposed Small Cell Technology Facility and associated Accessory equipment or Support Structure is the minimal physical installation which will achieve the goal of enhancing the provision of personal wireless service when considering all pertinent factors discussed in this Ordinance. Except as set forth in this Ordinance and as provided for in the case of appeals in the City's Zoning Ordinance, this permitting process will be administrative in nature and not require the approval of any

City board or City official other than the Appropriate Municipal Official.

If the Appropriate Municipal Official denies a request to place, construct, or modify personal wireless service facilities, the Appropriate Municipal Official's determination shall be in writing and supported by substantial evidence contained in a written record.

The factors, requirements, and guidelines that the Appropriate Municipal Official may consider and will apply when determining whether to issue a permit for placement of Small Cell Technology Facilities and associated Structure on the Right-of-Way include, but are not limited to, the following:

Whether the proposed Facilities and Support Structures comply with the requirements for Small Cell Technology Facilities and Support Structures set forth in Sec. 6;

Whether denial of the application would prohibit or have the effect of prohibiting the provision of personal wireless service or telecommunications service;

Whether the proposed installation could cause harm to the public or pose any undue risk to public safety, except that no permit may be denied on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions;

Whether the proposed installation may interfere with vehicular traffic, passage of pedestrians, or other use of the right-of-way by the public; and

If the proposed installation will disturb conditions on the right-of-way, whether the applicant has agreed in writing that it will restore the subject area to its pre-existing condition following installation.

To the extent practical, all Facilities and associated Accessory Equipment that are placed in the City shall be attached to a pre-existing Support Structure that is owned, controlled, or leased by a utility, franchisee, the City, or other entity. If the Applicant demonstrates that no commercially reasonable or technically feasible colocation opportunities exist in the area where a technologically documented need for a Facility exists, the Applicant may request that a new pole or other Support Structure be installed in that area for purposes of constructing the Facilities. Before any new Support Structure is permitted, each of the following must occur:

The day after the date when the Appropriate Municipal Official notifies the Applicant in writing that the Applicant's supplemental submission was not sufficient to render the application complete and clearly and specifically identifies the missing documents or information that need to be submitted based on the Appropriate Municipal Official's original request under Paragraph C. of this Section; until

practical after the Appropriate Municipal Official's recommendation is made, but approval of the City Council is not required for the placement of a new Support Structure on private property; and

A provider may not collocate on or replace a decorative pole unless such colocation or decorative pole replacement conforms to the design aesthetics of the original decorative pole(s).

**Sec. 5. Permit Expiration.** Permits issued pursuant to this Ordinance shall expire three hundred sixty-five (365) days after issuance. A Facility must be fully operational within that time, or the Applicant must apply for a new permit.

**Sec. 6. Requirements for Small Cell Technology Facilities and Support Structures.** All Facilities and Support Structures shall be installed, erected, and maintained in compliance with applicable federal and state laws and regulations, including, but not limited to, regulations of the FCC.

All Facilities and associated Accessory Equipment that are placed in the City on a Support Structure must satisfy the following requirements:

If a Facility is attached to a utility pole or other Support Structure in the Right-of-Way, no antenna or other part of the Facility shall extend more than five (5) feet above the height of that structure; provided that, in the event that the Applicant demonstrates that National Electric Safety Code regulations or other factors create an undue hardship in complying with this height requirement, the Appropriate Municipal Official may permit a Facility to extend up to ten (10) feet above the height of such Support Structure;

The Accessory Equipment shall, if reasonably possible, be placed at least ten (10) feet above the ground; If technologically feasible, the color of Antenna and Accessory Equipment shall be compatible with that of the Support Structure;

The Facility (including the Accessory Equipment) shall not be illuminated; and If Facilities are placed on an existing or new building or accessory to a building, the following additional requirements shall apply:

Facade-mounted antennas shall not extend above the face of any wall or exterior surface of the building.

Roof-mounted antennas and Accessory Equipment may be permitted on buildings in accordance with the following table:

Height of Building - Up to 15 feet; Maximum Height of Facility Above Highest Point of Roof - 8 feet, including antenna; Required Setback from Edge of Roof of Building - 1 foot for every foot of height of equipment

Height of Building - 15-35 feet; Maximum Height of Facility Above Highest Point of Roof - 10 feet, including antenna; Required Setback from Edge of Roof of Building - 1 foot for every foot of height of equipment

Height of Building - More than 35 feet; Maximum Height of Facility Above Highest Point of Roof - 12 feet, including antenna; Required Setback from Edge of Roof of Building - 1 foot for every foot of height of equipment

The antenna component of the Facilities shall be limited to a maximum height of three (3) feet and a maximum width of two (2) feet; provided that authorization to install antenna up to six (6) feet in height may be permitted if a showing of the technological need for such equipment is made and other requirements of this Ordinance are met.

Accessory Equipment must be located in an equipment cabinet, in an equipment room in a building, or in an unmanned equipment build-

ing. If the equipment building is freestanding:

The building shall conform to the City's Zoning Ordinance with respect to building setbacks;

The building shall not exceed four hundred (400) square feet;

The building's overall height shall be limited to fifteen (15) feet (if located on the ground) measured from the finished grade; and

If an equipment building or cabinet is located in a residential zone or if the nearest adjoining property is in a residential zone, that building or cabinet shall be surrounded by landscaping to provide a screen of the same height as the building or cabinet.

The Provider or Applicant shall use Stealth Technology when installing the Facilities and associated Accessory Equipment on any building or accessory to that building that is located on private property. Further, Stealth Technology should be used when placing Facilities on other types of Support Structures have been inspected and are in good working order and repair in compliance with applicable laws and regulations, including those of the FCC that pertain to the transmission of wireless communication signals. Should that engineer deem those Structures unsound, the Provider or Applicant shall furnish certification from a professional engineer who is licensed in the State of Alabama that the Facilities and Support Structures is needed to supply power or backhaul services to the Small Cell Technology Facility and/or pole-mounted equipment or equipment cages be changed (such as changing from pole-mounted equipment cages to ground furniture), in the discretion of the City.

**Sec. 7. Emergency Removal or Relocation of Facilities.**

The City retains the right and privilege to cut or move any Small Cell Technology Facility or related structure located within the Right-of-Way of the City, as the City may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If, in the City's judgment, circumstances permit, the City shall notify the Provider or Applicant and provide the Applicant an opportunity to move its own Facilities, if possible, prior to cutting electrical service or removing a Facility, and shall notify the wireless Provider after cutting or removing a Small Cell Technology Facility.

**Sec. 8. Ninety (90) Days Removal, Relocation or Modification of Small Cell Technology Facility in the Right-of-Way.**

Whenever the City reasonably determines that relocation is needed as described below, then following written notice from the City, the Applicant shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change, or otherwise alter the position of any Small Cell Technology Facilities and/or Support Structures within the Right-of-Way whenever the City has determined that such removal, relocation, change, or alteration, is reasonably necessary for (excluding beautification-only projects), as follows:

If required for the construction, completion, repair, relocation, or maintenance of a City improvement or project in or upon, or the operations of the City in or upon, the Right-of-Way; and/or

Because the Small Cell Technology Facility or its related equipment is interfering with or adversely affecting proper operation of any City-owned light poles, traffic signals, or other equipment in the Public Way; and/or

To comply with traffic and public safety codes; and/or To protect or preserve the public health or safety.

In the case of any removal, relocation, change, or alteration pursuant to this Section, the City shall make reasonable efforts to afford Applicant a reasonably equivalent alternate location. If a Provider has not complied with an order under this Section within ninety (90) days of the issuance of a written order, the City, without further notice to the Provider or at sole cost and expense to the Provider, may relocate any Small Cell Technology Facilities and/or Support Structures as ordered by the City.

If the City determines that any utility Support Structures upon which the Applicant has installed Facilities (including upon City-owned Support Structures) should be relocated, Applicant and the City will cooperate in good faith on the design and installation, at Applicant's costs, of suitable replacement of Applicant's Facilities, including decorative poles; and Applicant agrees that if reasonably required by the Appropriate Municipal Official or his designee or as ordered pursuant to an administrative review as set forth in this Article by the City Council in order to ensure appropriate even and level lighting within a previously unlighted area, additional Facilities, which

fail at any time to comply with applicable laws and regulations, the Provider or Applicant, at either of their expense, shall cause those Structures to be brought into compliance with said laws and regulations within fifteen (15) days of the date of any written notice to them from the Appropriate Municipal Official of non-compliance, or cease all personal wireless service operations related to those Structures until the Applicant or Provider comes into full compliance with said laws and regulations.

On no more frequent than a triennial basis, the Appropriate Municipal Official may request that the Provider or Applicant, at either of their expense, furnish certification from a professional engineer who is licensed in the State of Alabama that the Facilities and Support Structures are in good working order and repair in compliance with applicable laws and regulations, including those of the FCC that pertain to the transmission of wireless communication signals. Should that engineer deem those Structures unsound, the Provider or Applicant shall furnish certification from a professional engineer who is licensed in the State of Alabama that the Facilities and Support Structures is needed to supply power or backhaul services to the Small Cell Technology Facility and/or pole-mounted equipment or equipment cages be changed (such as changing from pole-mounted equipment cages to ground furniture), in the discretion of the City.

**Sec. 9. Emergency Removal or Relocation of Facilities.**

The City retains the right and privilege to cut or move any Small Cell Technology Facility or related structure located within the Right-of-Way of the City, as the City may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If, in the City's judgment, circumstances permit, the City shall notify the Provider or Applicant and provide the Applicant an opportunity to move its own Facilities, if possible, prior to cutting electrical service or removing a Facility, and shall notify the wireless Provider after cutting or removing a Small Cell Technology Facility.

**Sec. 10. Abandonment of Facilities on Right-of-Way.**

If a Provider or Applicant abandons any Facility (including the Accessory Equipment) or an associated Support Structure (collectively "Facilities" for purposes of this Section) that is located on the Right-of-Way, the following rights and obligations shall exist. The City may require the Provider or Applicant, at their expense, to remove and reclaim the abandoned Facilities within sixty (60) days from the date of written notice of Abandonment given by the City to them and to reasonably restore the condition of the property at which the Facilities are located to that existing before they were installed. If the Provider or Applicant fails to remove and reclaim its abandoned Facilities within such 60-day period and the Facilities are located on the Right-of-Way, the City may, at its option, exercise any of the following rights alone or in combination:

Remove and dispose of the Facilities and charge the City's expense of any such removal and disposal to the account of the Provider or Applicant;

Purchase all abandoned Facilities at the subject location from the Provider or Applicant in consideration for \$1.00;

Resell the abandoned Facilities to a third party, provided that the proceeds of any resale of abandoned Facilities by the City to a third party (less the costs associated with the sale, which shall be credited to the City) shall be credited to the account of the Applicant or Provider that used those Facilities before the abandonment;

Salvage the abandoned Facilities to a third party, provided that the proceeds of any salvaging of abandoned Facilities by the City to a third party (less the costs associated with the salvaging, which shall be credited to the City) shall be credited to the account of the Applicant or Provider that used those Facilities before the abandonment; and/or

Charge any expense incurred by the City to restore the Right-of-Way to the ac-

count of the Provider or Applicant.

**Sec. 11. Indemnification Requirements.**

A Provider shall indemnify and defend the City and its elected and appointed officials, employees, and authorized agents, or their insurers, and hold them harmless from and against any and all claims, demands, actions, suits, or proceedings in equity or law asserted by third parties for damages, losses, liabilities, or costs of any kind, including, without limitation, reasonable attorney's fees and costs, as and when incurred that arise from: a material breach by a Provider or any of its officers, employees, volunteers, or authorized agents of any obligations set forth in this Ordinance; or

for any claims for the alleged negligence, wantonness, willfulness, recklessness, or claims of

any other alleged wrongful acts or omissions of the Provider or its officers, agents, contractors, sub-contractors, employees, or other representatives relative to the design, location, placement, construction, maintenance, and operation of Small Cell Technology Facilities, including Accessory Equipment and/or Support Structures, in the City's Right-of-Way, on City property, or on the City's infrastructure.

**Sec. 12. Insurance Requirements.**

Prior to installing the Facilities or Support Structures and during the period in which the Small Cell Technology Facilities of a Provider are located on or attached to the City's assets, including its poles, Right-of-Way, or other City property, the Provider shall be required to do both of the following:

Carry, at the Provider's sole cost and expense, the following types of third-party insurance furnished by insurers who are reasonably acceptable to the City and who are authorized to transact business in the State of Alabama:

Property insurance for the replacement cost of all Small Cell Technology Facilities.

Workers' compensation insurance, as required by law. Commercial general liability insurance of at least two million dollars (\$2,000,000) per occurrence, with respect to the Provider's activities in, on, or around the City's improvements, City property, or Right-of-Way, including coverage for bodily injury and property damage. The General Liability coverage may be provided through a combination of a primary and umbrella policies.

Environmental insurance. Include the City and its officers, officials, agents, contractors, and employees as an additional insured on the commercial general liability policy and provide certification and documentation of inclusion of the City in a commercial general liability policy as reasonably required by the City.

In lieu of the requirements of Subparagraphs (1) and (2) of Paragraph A., during the period in which the Small Cell Technology Facilities of a Provider are located on or attached to the City's assets, including its poles, City property, or Right-of-Way, the Provider

may provide a certificate of self-insurance, to the extent that the same is reasonably acceptable to the City, that demonstrates that the Provider has adequate resources to self-insure in the amounts set forth in Subparagraph (1) of Paragraph A.

A provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement for the naming of additional insureds under this Section.

On an annual basis follow-

ing initial installation, the Provider shall furnish the City a certificate indicating that the above-noted coverage remains and will remain in effect.

**Sec. 13. Preservation of Availability for Colocation.**

To promote the public interest that is served by co-locating Facilities and associated Accessory Equipment on existing Support Structures, and thereby mitigating the installation of additional Support Structures throughout the City, no person or entity (including any Provider, Applicant, utility, or franchisee) that utilizes an existing Support Structure that is located on Right-of-Way or on private property in the City, and has space available thereon, may deny a Provider or Applicant the Right to use or access an existing Support Structure for purposes of attaching Facilities permitted by this Ordinance without sound operational, technological, or other good reason.

**Sec. 14. Non-Applicability.**

The placement of an antenna(s), Facilities, or equipment related to the following types of wireless communication services are exempt from regulation under this Ordinance:

Amateur radio service that is licensed by the FCC if the Facilities related thereto are not used or licensed for any commercial purpose;

Facilities used by any federal, state, or local government agency to provide safety or emergency services; and

Macro Telecommunications Towers otherwise regulated by other ordinances, rules, or regulations of the City.

**Sec. 15. Appeals.**

Where it is alleged there is any error in any order, requirement, decision, or determination of the Appropriate Municipal Official related to the administration of this Article, the aggrieved party may petition the City Council for an administrative review of the same by submitting a written request with the City Clerk within fifteen (15) calendar days following the order, requirement, decision, or determination of the Appropriate Municipal Official.

That review will be conducted by the City Council at a meeting that will be conducted as soon as practical after the request for reconsideration is made. The City Council may then reverse or affirm in whole or in part, or may modify the order, requirement, decision, or determination reviewed. The City Council may subsequently make such order, requirement, decision, or determination as ought to be made, and to that end, shall have the powers of the Appropriate Municipal Official whose decision is reviewed.

If petition for administrative review of the Appropriate Municipal Official's decision is not made within fifteen (15) days from the date of the decision, the decision of the Appropriate Municipal Official will be final.

**Article 2. Permit and License Fees.**

The following fees shall apply to the applications and permits set forth in this Ordinance:

Permit Application and Review Fee – non-recurring fee for a single up-front application for colocation that includes up to five Small Cell Technology Facilities \$500.00 fee

Permit Application and Review Fee – non-recurring fee for each additional Small Cell Technology Facility in excess of the above initial five included in one application \$100.00 fee

Permit Issuance Fee – non-recurring fee for the modification or replacement of an existing pole together with the mounting or installation of an associated Small Cell Technology Facility in the Right-of-Way or on City-owned property

— CONTINUED ON PAGE 8 —

# COMMUNITY NEWS



## Proceeding With Caution

UPDATED STATEWIDE COVID-19 HEALTH ORDER FOR ALABAMA

**STAY AT HOME** Current order expires on April 30th at 5 p.m.

**CURRENT STAY AT HOME ORDER:**

**INDIVIDUALS**  
Ordered to stay at home except to meet basic needs

**EMPLOYERS**

Businesses closed except for those that meet a critical need or pose a minimal risk; sanitation and social-distancing rules and guidelines for remaining businesses

**RETAIL STORES**

Essential retail stores open subject to 50% occupancy rate, social-distancing and sanitation rules

**BEACHES**

Closed for all purposes

**MEDICAL PROCEDURES**

Postponed except for those deemed "necessary" under various criteria as determined

**NON-WORK GATHERINGS**

Limited to fewer than 10 persons with 6 feet of distance between persons. "Drive-in" gatherings permitted if participants stay in cars with people from their own households.

**SENIOR CITIZEN CENTERS**

Regular programming suspended except meals available through curbside pick-up or delivery

**EDUCATIONAL INSTITUTIONS**

Closed to in-person instruction (except for daytime special activities programs)

**CHILD DAY CARE FACILITIES**

Must not allow 12 or more children in a room

**HOSPITALS AND NURSING HOMES**

Must implement policies to restrict visitation

**RESTAURANTS, BARS AND BREWERIES**

Limited to take-out, curbside or delivery

**CLOSED**

Entertainment venues (such as night clubs, theaters, bowling alleys)

Athletic facilities and activities (such as fitness centers and commercial gyms)

Close-contact service providers (such as barber shops, hair salons, nail salons, tattoo services)

**SAFER AT HOME** Goes into effect on April 30th at 5 p.m. and expires May 15th.

**NEW UPDATES:**

**INDIVIDUALS**

Encouraged to stay home and follow good sanitation practices

**EMPLOYERS**

Businesses may open subject to sanitation and social-distancing guidelines; certain higher-risk businesses and activities remain closed

**RETAIL STORES**

All retail stores open subject to 50% occupancy rate, social-distancing and sanitation rules

**BEACHES**

Open except no gatherings of 10 persons or more and people must maintain 6 feet of separation

**MEDICAL PROCEDURES**

Allowed unless prohibited in the future by the State Health Officer to preserve resources necessary to diagnose and treat COVID-19; providers must follow COVID-19-related rules and guidance from state regulatory boards or public health authorities

**WHAT'S STAYING THE SAME:**

**NON-WORK GATHERINGS**

Still limited to fewer than 10 persons with 6 feet of distance between persons. "Drive-in" gatherings still permitted if participants stay in cars with people from their own households.

**SENIOR CITIZEN CENTERS**

Regular programming still suspended except meals still available through curbside pick-up or delivery

**EDUCATIONAL INSTITUTIONS**

Still closed to in-person instruction (except for daytime special activities programs)

**CHILD DAY CARE FACILITIES**

Still must not allow 12 or more children in a room

**HOSPITALS AND NURSING HOMES**

Still must implement policies to restrict visitation

**RESTAURANTS, BARS AND BREWERIES**

Still limited to take-out, curbside or delivery

**STILL CLOSED**

Entertainment venues (such as night clubs, theaters, bowling alleys)

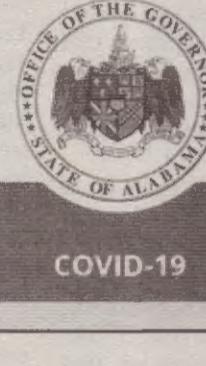
Athletic facilities and activities (such as fitness centers and commercial gyms)

Close-contact service providers (such as barber shops, hair salons, nail salons, tattoo services)

Visit [governor.alabama.gov](http://governor.alabama.gov) for a full list of changes, guidelines and updates.

**SAFER APART** Goal

MORE UPDATES COMING SOON AS WE CONTINUE TO MONITOR THE COVID-19 SITUATION



COVID-19

## Coffee County Schools announce kindergarten registration times

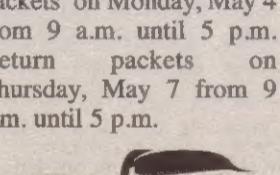
Children entering kindergarten must be five years old on or before September 1.

**KINSTON**  
Pick up registration packets on Tuesday, May 5 from 9 a.m. - 6 p.m. Return packets on Thursday, May 7 between 9 a.m. and 6 p.m.

**NEW BROCKTON**

Pick up registration packets - Monday, May 4 from 9 a.m. until 5 p.m. Return packets on

Thursday, May 7 from 9 a.m. until 5 p.m.



## ELBA ORDINANCE CONTINUED FROM PAGE 7

\$250.00 fee

Permit Issuance Fee – non-recurring fee for installation of a new Support Structure together with the mounting or installation of an associated Small Cell Technology Facility in the Right-of-Way or on City-owned property \$1,000.00 fee

Annual License Fee – recurring fee per Small Cell Technology Facility in the Right-of-Way or on City-owned property \$270.00 fee

Permit Issuance Fee – non-recurring fee for installation of a new Support Structure together with the mounting or installation of an associated Small Cell Technology Facility on private property. \$500.00 fee

This Ordinance regulates the placement of Small Cell Technology Facilities (and associated Accessory Equipment) on or in the immediate vicinity of Support Structures, including those that are located or proposed to be located on the Right-of-Way. No provision in this Ordinance is intended to permit, regulate, or authorize the placement by a Provider or Applicant of fiber optic lines, coaxial cable, switches, pedestals, or networking equipment of any type that is used to transport telecommunications signals, data, or messages between Support Structures or between any other points on the Right-of-Way. In the event any such provider or applicant desires to place telecommunications equipment or facilities along the Rights-of-Way at points not regulated by this Ordinance, the City requires the Provider, unless otherwise lawfully authorized, to install such Facilities in the Rights-of-Way, to apply for a franchise agreement with the City that authorizes use of other locations on or along the Right-of-Way.

**Article 3. Repealer.**

All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Elba, Alabama, that are inconsistent with the provisions of this Ordinance are hereby expressly repealed.

**Article 4. Severability.**

If any part, article, section, paragraph, subparagraph, or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

**Article 5. Effective Date.**  
This Ordinance shall become effective on April 30, 2020.

ADOPTED AND APPROVED THIS THE 27TH DAY OF APRIL 2020

APPROVED:  
Mickey L. Murdock, Mayor

ATTEST:  
Sally Bane, City Clerk

**CERTIFICATION OF CITY CLERK**

I, Sally Bane as City Clerk of the City of Elba, Alabama, hereby certify that the above and foregoing copy of Ordinance No. 04272020 is a true and correct copy of such Ordinance that was duly adopted by the City Council of Elba, Alabama, on the 27th day of April, 2020, as same appears in the official records of said City.

Posted at Elba City Hall and a t  
www.elbaalabama.net/code-of-ordinances on this the 27 day of April, 2020.

Sally Bane, City Clerk  
4/30-chg.

## "Safer at Home" Statewide Public Health Order

### Frequently Asked Questions about Beaches

**1. I've heard that the beaches are re-opening. Does that mean the beaches will return to normal?**

No. Under the new rules, the beaches will be open only to gatherings of fewer than 10 persons, and anyone using the beaches must maintain a consistent six-foot distance between himself or herself and all persons from a different household. The term "beach" means the sandy shoreline area abutting the Gulf of Mexico, whether privately or publicly owned, including beach access points.

**2. What counts as a "gathering"? How do I make sure that I am not accidentally violating this new rule?**

To participate in a "gathering" is to come together to form a group; it implies that people are congregating with one another for some period of time. So, you cannot violate the rule merely by walking by a gathering or group. By the same token, you *would* be violating the rule if you go to the beach when it is so full and densely populated that the people there really form a single, large group. If everyone complies with this rule, there will be distinct groups, clearly defined and separated from one another. And within each distinct group, of course, the members will be at least six feet apart from people outside of their household.

**3. I would like to take my young children to the beach. Am I required to maintain six feet of separation from them?**

No. The six-foot rule does not apply to members of the same household. But members of the same household still must not gather in groups of 10 or more people.

**4. Can we use the pool at our condominium or hotel?**

Under the new Safer at Home order, pools are no longer closed. Having said that, individuals and establishments (like condominiums and hotels) are still required to avoid gatherings of 10 or more people, and they must always maintain six feet of separation between persons from different households. This will result in greatly diminished pool access. Establishments may wish to implement their own policies to allocate pool access among parties.

**5. What about charter fishing boats? Will they be able to take customers fishing?**

Charter boat business will be treated just like other businesses: They must avoid gatherings of 10 or more clients and keep clients six feet apart. They must also regularly disinfect frequently used items and surfaces.

**6. I am a college senior and would like to rent a house with a group of 20 friends or so to celebrate graduation. Can we rent a large beach house together?**

No. The new Safer at Home order prohibits non-work related gatherings of 10 persons or more—and non-work related gatherings of any size that cannot maintain a consistent six-foot distance between persons from different households. In addition, a rental business must take reasonable steps to avoid these kinds of gatherings; they should therefore decline to facilitate the rental under the current order.

**7. What are the consequences for violating these rules?**

Violations of the state health order are misdemeanors, subject to a \$500 penalty. But if there are large-scale failures to comply, or if this new rule leads to increased COVID-19 transmission, the State may be forced to close the beaches again.

**8. When does this new rule go into effect?**

Thursday, April 30, 2020, at 5:00 p.m.

**9. When will beaches return to normal operation?**

The new rule is part of the State's gradual approach to re-opening. If the State makes progress in reducing the spread of COVID-19, then additional steps will be taken to loosen restrictions. If the State makes insufficient progress in reducing the spread of COVID-19, then the State may be forced to close the beaches again in the future.



## Despite COVID-19 quarantine, locals find fun ways to pass the time



April Villella said her family has enjoyed fishing during quarantine!!



Joseph Cline spends part of his extra time during the school shutdown playing checkers with grandmother Laura Lassiter. Social distancing requires grandmother to stay on the porch and big sister Grace moves grandmother's checker pieces as instructed. P. S. Grandmother admits that Joseph wins two out of three matches!



Carson Wise, Whit Shehee, Paxton Wise, and Cole Shehee enjoying a little fishing during quarantine!! 6 feet apart!!! Left, Whit shows off his big catch!



**Share Your Fun Activities with Us as we navigate through the COVID-19 quarantine times!!**

Email photo and info to [clipperace@troycable.net](mailto:clipperace@troycable.net)

**PLEASE KNOW WE ARE STILL OPEN AND HERE TO HELP YOU IN ANY WAY YOU NEED!**

NEED TO MAKE A PAYMENT TO THE GRANTHAM AGENCY OR ELBA FINANCE... DROP IT OFF AT OUR DRIVE-THRU WINDOW!!



603 N. Claxton Ave., Elba, AL

**Serving All Your Insurance Needs**

- Home
- Business
- Auto
- Life
- Mobile Home
- RV
- Motorcycle
- Boat

**Call Us! (334) 897-2981**



Mark Brunson and Kip Brunson (age 5) and Colin Arnold (age 13), enjoy some kite flying using their fishing poles at their home in Elba.

**Help Us to Congratulate Our Local High School Grads!!**

**The Elba Clipper**

WILL PUBLISH its annual Commemorative Graduation Paper in the Thursday, May 21, 2020 edition!

Each year, this commemorative edition celebrates graduating seniors from  
**Elba High School • Kinston High School • Zion Chapel High School  
 New Brockton High School • Brantley High School**

The paper also includes 'congratulation greetings' to the seniors from local businesses!

This year, we want to make this commemorative edition even more special, and here's how:

The Elba Clipper is offering greeting ads to family and friends to allow them an opportunity to extend special "Congratulations" to your favorite graduate!!



**Congratulations!**

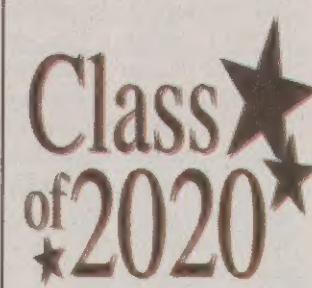


Photo of Your Favorite Graduate!

Wherever You Go,  
 Go With All Your Heart!  
 Best Wishes to Our Senior,  
 Graduate's Name, and  
 all the 2020 Graduates!!  
 Love, \_\_\_\_\_

2x4 ad example (left) & 2x2 ad example (right)

The deadline to place an ad  
 is Monday, May 11, 2020  
 by 5 p.m.

Payments can be made by cash,  
 check or credit card.

**CELEBRATE  
 CLASS OF  
 2020**

Photo of Your Favorite Graduate!

Congratulations, Graduate's Name!!  
 We Love You! Your Family

For more information or to place your ad, contact Editor Linda Hodge

Phone: (334) 897-2823 email: [clipperace@troycable.net](mailto:clipperace@troycable.net) or Stop by the office at 417 Buford St, Elba